

U.S. Patent Application Serial No. **09/787,119**
Amendment filed February 16, 2005
Reply to OA dated August 19, 2004

AMENDMENTS TO THE DRAWINGS:

The attached drawing sheet includes changes to FIG. 4, and replaces the original sheet including FIG. 4. FIG. 4 has been revised to include reference numerals 8 and 9.

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REMARKS

Claims 1-19 are currently pending. Claims 1-5 and 12-16 are currently being considered, none of which have been amended. Claims 6-11 and 17-19 have been withdrawn from consideration. No new claims have been added. Applicants believe that no new matter has been introduced.

The Examiner has objected to the Fig. 4 because it fails to show numeral 8 and numeral 9, as described in the specification at page 19, line 7. Reference numerals 8 and 9 have been added to FIG. 4. Thus, Applicants respectfully submit that this objection should be withdrawn.

Before turning to the cited art, a brief review of the present invention is in order. The present invention relates to a printed layer including (1) a pattern printed region and, (2) a filling layer region outside said pattern printed region (1), and moreover (3) a thickness of said printed layer is uniform, and in said transferable magnetic tape a coercivity of magnetic powder contained in said magnetic recording layer is 20 to 320 kA/m.

Claims 1-3 and 12-14 stand rejected under 35 USC 102(e) as anticipated by USP 5,972,438 (**Suzuki**).

Claims 4, 5, 15, and 16 stand rejected under 35 USC 103(a) as obvious over **Suzuki** in view

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of USP 4,132,350 (**Kubota**).

Applicants respectfully traverse these rejections.

Suzuki relates to a printed layer, which is an important component in the present invention, but which is very different from a transferrable magnetic tape of the present invention. The Examiner asserted that the second magnetic layer of **Suzuki** meets all of the limitations of the applicant's claimed pattern printed layer. However, the second magnetic layer of **Suzuki** does not have regions correctly corresponding to the respective regions of which meanings are specified in the specification of the present application by the inventors, such as a pattern printed region, a non-printed region, a filling layer region, and the like. Therefore, **Suzuki** fails to have similar constructions to those of the present invention.

In the present invention, the region which is printed first is called a "pattern printed region". In addition, the region other than the pattern printed region is the "non-printed region". That is, due to the first printing, the pattern printed region and the non-printed region are simultaneously formed. In addition, by filling the non-printed region described above, a filling layer region is formed.

The Examiner asserted that printing in **Suzuki** corresponds to, for example, a process for coating a magnetic paint on a support, or a process for forming a magnetic code on the coated film. However, in the “printing” described above, the non-printed region which is to be simultaneously filled during printing is not formed. One formed in coating of the magnetic print is merely a magnetic recording layer having an approximately uniform thickness, and a non-printed region which is subsequently to be filled is not formed even in the process for forming a magnetic code. As long as the non-printed region is not formed, a filling layer region is also not formed.

This can be well understood by considering that the pattern printed region of the present invention is formed by partially arranging the printing ink; the second magnetic layer of **Suzuki** is prepared by forming a magnetic recording layer having a uniform thickness, subsequently forming a spatial distribution pattern of the magnetic powders on the magnetic recording layer described above. The non-printed region and the filling layer region are not formed in the second magnetic layer of **Suzuki**.

A key point of the present invention is setting the thickness of the pattern printed region and the thickness of the filling layer region to be approximately uniform. Therefore, it can be asserted that the magnetic recording medium disclosed in **Suzuki** in which a filling layer region cannot be formed has a greatly different constitution from that of the transferable magnetic tape of the present invention.

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In addition, **Kubota** discloses a magnetic card having a pattern layer, a magnetic layer, and a color layer. Even if the invention disclosed in **Suzuki** is combined with the invention disclosed in **Kubota**, the missing disclosure in **Suzuki** discussed above cannot be compensated for.

Suzuki and **Kubota**, alone or in combination, fail to describe, teach, or suggest the “printed layer” as set forth in claim 1 and the “printed layer” as set forth in claim 12, in combination with the other claimed features.

Thus, Applicants respectfully submit that these rejections should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, all claims currently being considered are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosure: Replacement Sheet (FIG. 4); Petition for Extension of Time